



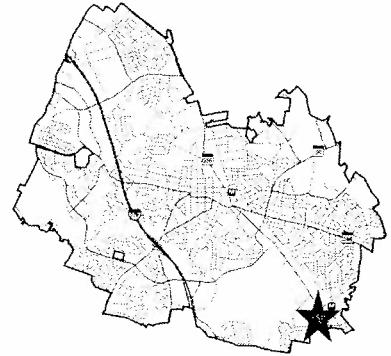
City of  
**Rockville**  
Get Into It

## **Planning Commission Staff Report: Site Plan STP2011-00085, Rollins Center**

**MEETING DATE:** November 9, 2011

**REPORT DATE:** November 2, 2011

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**APPLICATION DESCRIPTION:** Proposal to develop a 9,272 square foot one (1) story commercial building that will consist of approximately 6,288 square feet of retail space and approximately 2,984 square feet of office space. On the west (rear) side of the building will be a one (1) lane drive -thru bank. The applicant is also requesting waivers from Section 4 of the Landscaping, Screening and Lighting Manual and from Section 25.17.03 of the Zoning Ordinance from the Screening and Placement of Utility Equipment.

**APPLICANT:** Draiman 7 Properties, LLC

**FILING DATE:** April 15, 2011

**RECOMMENDATION:** Approval subject to the conditions noted on pages 14-16. In addition, staff recommends that the Planning Commission approve the above referenced waiver requests.

**EXECUTIVE SUMMARY:** The applicant has submitted an application for a Site Plan pursuant to Section 25.07.05 of the Zoning Ordinance. The Site Plan is to allow for the development of 9,272 square feet of commercial space that includes approximately 6,288 square feet of retail space and approximately 2,984 of office space. The applicant also submits a waiver request from Section 4 of the Landscaping, Screening and Lighting Manual requirements as well as a waiver from Section 25.17.03, (Screening and Placement of Utility Equipment), of the Zoning Ordinance.

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## RECOMMENDATION

Approval, subject to the conditions noted on pages 13-15 of the staff report for Site Plan STP2011-00085, to allow for the development of a 9,272 square foot commercial building, which includes retail, office and a one (1) lane drive-thru bank. In addition approval of the (2) two waiver requests, 1) From Section 4.d.2.b.i of the Landscaping Strip, Screening and Lighting manual, to allow six (6') feet of perimeter landscape Strip and a six (6') foot fence in lieu of the required seven (7) feet for adjoining property, and 2) to allow for the transformer to be placed above ground to be screened on only three (3) sides using hedges.

## SITE DESCRIPTION

The subject property is located at the northwest corner of Rockville Pike and Rollins Avenue. The property is approximately 36,552 square feet in size and located in the commercial subdivision known as Simmons Addition to Halpine. The site was originally developed with a (Shell) automobile filling station and functioned as such since the 1960's. In 2011, the station was demolished. The property has several means of ingress/egress to the site on both Rollins Avenue and Rockville Pike. Very little green space exists for the site except along the site's street frontage.

**Location:** 1807 Rockville Pike, Rockville, MD 20852 (see Attachment 1)

**Applicant:** Draiman Properties 7, LLC

**Land Use Designation:** Rockville Pike Corridor Mixed Use Development (see Attachment 2)

**Zoning District:** MXCD (Mixed Use Corridor District) (see Attachment 3)

**Existing Use:** Vacant (previously an automobile filling station)

**Parcel Area:** 0.838 acres (36,512 square feet)

**Subdivision:** Simmons Addition to Halpine

**Building Floor Area:** 9,272 square feet of retail and bank use

**Dwelling Units:** None

**Building Height:** One story, 25.7 feet in height

**Parking:** 47 spaces

### Vicinity

The subject property is located at the northwest corner of Rockville Pike and Rollins Avenue. The property is adjacent to Rockville Fire Station 23 to the west and a single story retail building (Vitamin Store) to the north. The site is across the street from a (6) six- story mixed use development known as Rollins Ridge.

| Surrounding Land Use and Zoning |                                    |                                    |              |
|---------------------------------|------------------------------------|------------------------------------|--------------|
| Location                        | Zoning                             | Planned Land Use                   | Existing Use |
| North                           | Mixed Use Corridor District (MXCD) | Rockville Pike Corridor Mixed- Use | Retail       |
| East                            | Mixed Use Transit District (MXTD)  | Rockville Pike Corridor Mixed -Use | Retail       |
| South                           | Mixed Use Corridor District (MXCD) | Rockville Pike Corridor Mixed-Use  | Mixed- Use   |
| West                            | Mixed Use Corridor District (MXCD) | Fire Station                       | Fire Station |

## PROJECT DESCRIPTION

### Previous Related Actions

- Historic District Commission HDC2010-00513, Draiman Properties 7 LLC, - Evaluation to determine historic significance for demolition. Determined not to be significant by the Historic District Commission.
- Demolition Permit DEM2011-00126, Draiman Properties 7 LLC, to permit demolition of the existing Shell gas station.

### Proposal

The applicant, Draiman Properties 7, LLC proposes to develop a 9,272 square foot one (1) story building that will consist of approximately 6,288 square feet of retail and approximately 2,984 square feet of office in the form of a bank branch. On the west (rear) side of the building there will be a (1) one lane drive-thru bank. The drive- thru will be sheltered with a freestanding canopy structure. The building as proposed will be 25.7 feet in height. (**Attachment 4**).

The development proposes the required 3,651 (10%) square feet of open area and provides 1,825 (5%) square feet of public use space.

The applicant is requesting two (2) waivers; 1) From the Landscaping, Screening and Lighting Manual requirements in Section 4 of that manual, to install six (6') feet of perimeter landscape Strip and a six (6') foot wood fence at the north end of the property in lieu of the required

seven (7) feet; 2) From Section 25.17.03.b of the Zoning Ordinance to install an above ground transformer and to allow for only three (3) sides of the equipment to be screened using hedges.

## PROJECT ANALYSIS

### Master Plan

#### Land Use Map

The 2002 Approved and Adopted City of Rockville Master Plan (**Attachment 2**), indicates that the area is classified as Rockville Pike Corridor/Mixed Use Development (RPCMUD).

#### Master Plan Compliance

The subject property is located in Planning Area 9, the Rockville Pike Corridor Planning Area, and is subject to the *Rockville Pike Corridor Neighborhood Plan*. Both master plans recommend mixed-use development for this area within the Twinbrook Metro Performance District, with ground floor retail and office or multifamily residential above. The Rockville Pike Plan includes urban design recommendations, as well as streetscape and building form recommendations. The property is not subject to the draft Rockville's Pike Plan undergoing review by the Planning Commission. However, staff notes that the proposal does not preclude recommendations to date contained in the draft Plan.

The proposed building meets the building location guidelines contained in the existing Rockville Pike Plan. It is located at the 135-foot build-to line from the Rockville Pike center line, and has no setback from Rollins Avenue, which is the build-to line for secondary streets in the Plan. The Plan recommends a ten-foot wide sidewalk and five-foot tree lawn along Rollins Avenue, although this has been superseded by the requirement for a seven-foot wide tree lawn in the Zoning Ordinance and FTPO and results in provision of a seven foot wide tree lawn and seven foot, seven inch wide sidewalk. The Plan also recommends provision of a 12-foot wide treed and landscaped berm with six-foot wide sidewalk along Rockville Pike. In lieu of the berm, the applicant will provide an eleven-foot wide tree lawn and six-foot wide sidewalk within the public right-of-way. The Landscaping, Screening and Lighting Manual requires a ten-foot wide landscape strip be provided along the property frontage between the public sidewalk and parking lot, resulting in two landscape strips along the Rockville Pike frontage. Staff finds that this is an acceptable alternative to the berm, and notes that retaining the berm has not been recommended by the draft Rockville's Pike Plan.

The building form guidelines in the Plan emphasize providing a comfortable pedestrian experience along public streets framed by multi-story buildings with ground floor retail. As a single-story corner building, the proposed building has a primary façade on

Rockville Pike containing the entrances to the retail spaces. The building does not have entrances, other than an emergency exit, on the Rollins Avenue façade. Staff finds this to be acceptable, due to the glass display area to be provided along Rollins Avenue rather than a blank wall, the fact that the street grade decreases away from Rockville Pike, and the relatively short length of the façade along Rollins Avenue.

## **Infrastructure/ Adequate Public Facilities Standards (APFS)**

### **Roads and Transportation**

The roads and transportation system around the site are adequate to serve the proposed uses, based on the Comprehensive Transportation Review (CTR). There are no significant increases in traffic flow from the last known use to the proposed use. Therefore no mitigation is required along adjacent roadways. The applicant will be making roadway and pedestrian improvements along the frontage of the property.

### **Water and Sewer (Attachment 5)**

City water and sewer service is accessible to the subject property from Rollins Avenue. Water and sewer will be provided pursuant to the Water and Sewer Authorization letter dated October 24, 2011.

### **Schools**

The proposed building is a nonresidential use; therefore no impact will be placed upon the school system.

### **Fire and Emergency Service**

Based on the data provided by the Montgomery County Fire and Rescue Service (MCFRS), this site is within the area that 3-7 fire stations can service the property in case of an emergency. Several stations are in close proximity such as Station 23, located at 121 Rollins Avenue, which is right next to the subject site; Station 3 located at 380 Hungerford Drive, and Station 33 located at 11430 Falls Road. Retail/Office use is not a high risk use that requires a ten minute response time from three stations.

## **Transportation and Circulation**

### **Parking**

The proposed site plan complies with Article 16 ("Parking and Loading") of the Zoning Ordinance. The plan shows 47 parking spaces where 46 spaces are required. To accommodate the approximately 6,288 square feet of retail, 32 are required. To accommodate the 2,984 square feet of office, 10 spaces are required. The bank drive-in windows and ATM require 4 spaces plus one (1) space for each employee.

## **Access**

The site currently has two (2) access points from MD 355 and two from Rollins Avenue. The northern most access point along MD 355 is shared with the adjacent property to the north. The southern access point along MD 355 will be closed. The site will continue to have two (2) access points along Rollins Avenue. The eastern access point will be right-in, right-out only. In order to ensure that left turn movements are not made into this access point, the applicant will install a median on Rollins Avenue to prevent the movement. The western access point along Rollins Avenue will be egress only and permit right and left turns out of the site.

## **Traffic**

The Transportation Report was submitted in accordance with the City's Comprehensive Transportation Review (CTR) analysis for new development projects that generate less than 30 peak hour trips. The report focused on internal circulation and parking, and non-auto access through and onto the site.

## **Bicycle/Pedestrian Access**

The applicant will provide pedestrian access to and through the site. They propose to reconstruct the sidewalks along both street frontages. Along MD 355, the applicant proposes an eleven foot tree lawn and a six (6) foot sidewalk. Along Rollins Avenue, the applicant proposes a seven (7) foot tree lawn and seven foot seven inch (7.7) sidewalk. In addition, the applicant proposes a sidewalk around the entire building for better pedestrian access through the site.

In order to comply with the City's bicycle facilities requirement in the Zoning Ordinance, the applicant is required to provide one (1) bicycle rack (2 short-term and one (1) bicycle locker (2 long-term spaces). A locked bicycle room with racks or a covered locked cage is required for long-term storage. Short term spaces are considered to be an inverted "U". A condition of approval has been recommended to address this issue.

## **Transit**

The site currently has a bus top along its Rockville Pike street frontage and is served by Montgomery County Ride on Route 46.

## **Environment**

The project does not contain any environmental features such as streams, wetlands, flood plain or their associated buffers. In addition, there is no forest on site, steep slopes or highly erodible soils and the project does not border any parkland. Therefore, the project is not subject to any of the recommendations in the Environmental Guidelines.

## **Green Building**

This project is exempt from this requirement. Per Section 5-303.b. 2 of the City Code, the requirements of Article XIV shall not be applicable to the following: Site Plans (Level 1, 2 and 3) and any subsequent amendments thereto, and Project Plans and any subsequent amendments thereto, where a Pre-Application, or formal application, has been made prior to July 1, 2010, and any related permits for construction. The applicant applied for their Pre-Application on April 15, 2010.

## **Forest and Tree Conservation Ordinance**

Under Section 10.5-22(b)(1)a. of the Forest and Tree Preservation Ordinance (FTPO), afforestation is not required for the proposed development, however, the project is subject to the Minimum Tree Cover requirement. The site does not contain any significant trees and therefore, does not have a significant tree replacement requirement. Both city and State street trees are shown for removal. Maryland State Highway Administration will permit the removal and replacement of the street trees within the MD 355 right-of-way and the City of Rockville will permit the removal and replacement of street trees within the Rollins Avenue right-of-way.

The Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) for the site was approved prior to the demolition of the previous gas station on site. A copy of the approved NRI/FSD is included in this report (**Attachment 6**). Since the property is less than 40,000 s.f (site = 36,512 s.f.), the project is not required to provide afforestation. A Final Forest Conservation Plan has been submitted for this project demonstrating compliance with the FTPO for Minimum Tree Cover and can be approved when the detailed engineering plans are approved by the Department of Public Works. The Minimum Tree cover requirement for the MXCD zone is 10% or 3,651 s.f. The project will exceed this requirement through the planting of 14 trees on site for a total credit of 5,000 s.f.

Four city street trees along Rollins Avenue will be removed and replaced as part of the project's right-of-way improvements. The Maryland State Highway Administration has provided the applicant with direction on removing and replacing the street trees along MD 355. Three trees within the MD 355 right-of-way will be removed and five replacement trees are shown to be re-planted with the removal of one of the driveways.

## **Stormwater Management**

Stormwater Management (SWM) for this project will be provided in compliance with the Development Stormwater Management Concept approval letter dated October 24, 2011 (**Attachment 7**). Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP) is provided through permeable paving within the parking bays. The



remainder of SWM for the site is provided via a structural facility and monetary contribution. The SWM concept letter lists project specific conditions of approval.

### **Zoning Ordinance Compliance**

In accordance with Section 25.13.03 of the City of Rockville Zoning Ordinance, retail and office are permitted uses in the Mixed Use Corridor District (MXCD) Zone, which is consistent with the recommendations in the current Rockville Pike Plan. A bank or financial institution with drive/through access is a conditional use and subject to the requirements of Section 25.13.04.c of the Zoning Ordinance. As indicated in that section, the conditional use requirement requires that properties located in the MXCD zone be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking.

The proposal achieves this requirement by having two (2) lanes; one lane dedicated to serving the bank's customers and a bypass lane, allowing patrons of the site to exit without causing congestion to the site. The proposed development meets the purpose and requirements of the zone with the exception of the Landscaping, Screening and Lighting Manual and placement of utility equipment both of which the applicant has applied for waivers.

| Zone {MXCD} | Maximum Height | Open Area and Public Use Space |      |                  |
|-------------|----------------|--------------------------------|------|------------------|
|             |                | Total Area                     | Open | Public Use Space |
| Required    | 75             | 10%                            |      | 5%               |
| Proposed    | 25.7           | 3,651                          |      | 1,825            |

| Setbacks                     |                           |                               |                           |                               |
|------------------------------|---------------------------|-------------------------------|---------------------------|-------------------------------|
| Public Right-of-Way Abutting | Side                      |                               | Rear                      |                               |
|                              | Residential Land Abutting | Non-Residential Land Abutting | Residential Land Abutting | Non-Residential Land Abutting |
| None                         | n/a                       | None, 10' if provided         | n/a                       | None, 10 if provided          |
|                              |                           | 65 feet                       |                           | 35 feet                       |

### **Landscaping, Screening and Lighting Manual (Attachments 8, 9 &10)**

The project complies with the applicable sections of the Landscape Manual with the exception of Section 4.d.2.b.i. of the Landscaping, Screening and Lighting Manual and Section 25.17.03.b, Placement of Utility Equipment in the Zoning Ordinance. The perimeter landscape strip for parking lots must be at least seven (7) feet wide adjacent to adjoining property to allow planting of trees.

As indicated in the waiver request (**Attachment 8**), the applicant is requesting a waiver from the Landscaping, Screening and Lighting manual to allow for a landscape strip six feet of (6) feet in width and to install a six (6) foot tall fence instead.

The challenge is for the applicant to maintain a 14-foot wide drive isle for (1) one way traffic and to provide a six (6) foot sidewalk along the building and provide a seven (7) foot landscaping strip adjoining a property. Section 4.d.2.b.iv, states that for properties located in the MXTD or MXCD Zones, the width of a perimeter landscaping strip may be reduced by the Planning Commission in order to achieve a better design solution through the provision of walls or fences in conjunction with landscaping. Staff finds that the applicant's request to install six (6) feet of landscaping and a six (6) foot fence is in keeping with the intent of providing a better design solution because the fencing, wall and landscaping will continue to provide the buffer between properties.

Per **Attachment 9**, the applicant is also requesting a waiver pursuant to Section 25.17.03.c to allow the transformer to be placed above ground and be screened only on three sides and not be enclosed as required in Section 25.17.03.b.2. The waiver requirements are as follows:

1. Upon finding that installing utility equipment within an enclosed building is not feasible, the Planning Commission may grant a waiver of any requirements of this Section for any of the following reasons:
  - a. A unique and peculiar site condition provides a physical impediment to installing equipment underground; or
  - b. It would be unsafe to locate the equipment underground; or
  - c. The equipment cannot successfully operate below ground.

The applicant is requesting the waiver based on all three of these reasons. As indicated in **Attachment 9**, due to site limitations, the location of the transformer pad was limited to being located next to a proposed Stormwater Management infiltration trench. Due to its immediate proximity to this trench installing an underground transformer may cause some safety concerns for an underground electrical structure and may not successfully operate below ground. If installed above ground the Zoning Ordinance requires that the transformer must be in an enclosed building unless waived as indicated above. In addition to the City's requirements, Pepco requires that the transformer provide a 10' (ten) foot clearance in the front and a 3' (three) foot clearance on the sides. Based on this requirement no landscaping or gating in the front is feasible. The applicant is requesting that only three (3) sides be screened by using hedges.

Based on the criteria listed above, staff finds that the location as proposed poses many challenges for the applicant whether the transformer is above ground or below ground and Staff agrees that the transformer would function more adequately if it were placed above ground due to its close proximity to the Stormwater Management infiltration trench.

In zones other than mixed use and residential, the Zoning Ordinance allows for utility equipment to be placed above ground or in an enclosed building using either building materials or vegetation allowing (for the side for access to be a gate.) The applicant is proposing to install

screening and provide the clearance that Pepco requires. The transformer will be located next to a dumpster and is oriented in such way that it will not be visible from public right-of-way. Hedges cover quickly and give privacy and screening in the shortest time.

The project is required to comply with the following sections of the Landscaping, Screening, and Lighting Manual: Section 4d.2.(a), Landscape Strip Area Adjoining a Street Right-Of-Way for Rt. 355, Section 4d.2.(b), Perimeter Landscape Area Adjoining Property Other Than a Street Right-of-Way for the parking along the western and northern property lines, Section 4d.2.(c) Internal Landscaping of Surface Parking Facility, and Section 4d.2.(d) Minimum Size of Planting Islands within Internal Landscape Area. The Landscape Plan included in this staff report demonstrates how the project will comply with these requirements. **(see Attachment 10).**

The project is required to submit a Lighting Plan for review and approval by the City prior to issuance of the building permit.

### **Public Art in Private Development**

The project must comply with requirements subject to the rates that are in effect at the time of Permit application. (See Condition #3).

### **DESIGN GUIDELINES**

The project as proposed conforms to general mixed use design guidelines and the specific Mixed-Use Corridor District (MXCD) design guidelines. Staff has addressed how the proposed project conforms to these design guidelines in **Attachment 11.**

### **COMMUNITY OUTREACH**

In accordance with the requirements of the Zoning Ordinance, the applicant held the required meetings (indicated below) to provide interested parties an opportunity to hear and ask questions about the proposal. Minutes from these meetings as well as a list of attendees is contained in the project's application file.

Based on the level of review, the applicant was required to notify properties within 1,250 feet of the subject site area. The applicant provided the required notification as well as affidavits for both Area Meetings as well as the Planning Commission meeting. Signs were posted on the property and revised to meet the correct public meeting dates. To date no written or verbal comments have been received.

- July 30, 2010, Pre-Application Area Meeting was held at 1807 Rollins Avenue. The meeting was attended by 3 people (no one from the community only the applicant and design team).

- May 17, 2011, Post Application Area Meeting was held at 7:00 p.m. at 130 Rollins Avenue, Suite 110. Staff was required to attend this meeting. The meeting was attended by seven (7) people.
- Notice for this Planning Commission Public Meeting to be held on November 9, 2011 was sent 14 days before the meeting.

## FINDINGS

*Section 25.07.01.a.3.a states that a site plan application that does not implement a project plan or a special exception, may be approved only if the applicable Approving Authority finds that the application will not:*

- Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed development;*

The applicant is in compliance with this requirement. The subject site will function, as a site that will accommodate the community. This proposed commercial structure was designed to function as a multi-tenant site to accommodate a variety of commercial uses. Vehicular entrances are being modified to increase safety for vehicular and pedestrian traffic adjacent to the site. The proposed drive-thru facility will be located on the west side of the building so there will be a separation between the bank use and the retail uses. Vehicular access to the drive-thru will be provided via a proposed one-way travel aisle. The proposed drive-thru is designed so that vehicles not using the bank are able to exit the site and not congest the area. Staff can find no evidence that the proposed site uses and site design will adversely affect the health or safety of the persons working, shopping or living in the surrounding neighborhood.

- Be detrimental to the public welfare or injurious to the property or improvements in the neighborhood;*

The MXCD zone allows for the proposed mix of uses to operate on this site. With a similar mix of uses already established in the area, staff has found no evidence that the proposed retail/commercial building would be detrimental to the public or injurious to the property or improvements in the neighborhood.

The application is in keeping with the vision of the Master Plan by providing these uses. The subject property has vehicular access onto two (2) commercial streets, Rockville Pike (MD 355) and Rollins Avenue. These access points have been modified to serve the site and reduce vehicle conflicts on Rollins Avenue and reduce entrances on Rockville Pike.

- Overburden existing and programmed public facilities as set forth in Article 20 of this chapter and as provided in the adopted Adequate Public Facilities Standards;*

The project is in full compliance with the Adequate Public Facilities Standards, as detailed in this report, and will not overburden existing or programmed public facilities.

- iv. *Adversely affect the natural resources or environment of the City or surrounding areas;*

Given the location of this site along a fully developed mixed use corridor, and its compliance with all applicable environmental regulations, staff finds no evidence that this project would adversely affect the natural resources or environment of the surrounding areas.

- v. *Be in Conflict with the Plan;*

The project is not in conflict with the Master Plan, as detailed in this report. The proposed uses and site design are in keeping with the intent of the Plan.

- vi. *Constitute a violation of any provision of this Chapter or other applicable law; or*

The application complies with this requirement with the exception of the Section 4.2.b.i, of the Landscaping, Screening and Lighting Manual and Section 25.17.03 of the Zoning Ordinance, regarding placement of utility equipment. As indicated previously indicated, the applicant has applied for waivers to account for these deficiencies. The proposed building complies with all of the development standards required in the MXCD Zone as indicated in Article 13 of the Zoning Ordinance.

- vii. *Be incompatible with the surrounding uses or properties.*

The planned use of the property complies with the Master Plan's land use designation of the site area, i.e. Rockville Pike Corridor Mixed Use Development. The proposed use is consistent with similar land uses found in the Rockville Pike Corridor and comparable commercial areas in the City. With the approval of the waiver requests, the site will conform to all applicable requirements of the Zoning Ordinance. Based on this information staff finds that the proposed building will continue to be compatible with the surrounding uses and properties.

## CONDITIONS

1. Submission, for review and approval of the Chief of Planning, eleven (11) copies of the site plan, revised according to any revisions as required by the Planning Commission.
2. Revise the site plan to include the bank drive-thru reservoir spaces in the parking tabulation.
3. Comply with the City's Publicly Accessible Art in Private Development Ordinance.
4. A lighting plan must approved by the City prior to issuance of the Building permit, demonstrating compliance with Section 5 of the Landscaping, Screening and Lighting Manual.

**Department of Public Works**

5. Submission, for review and approval by the Department of Public Works (DPW), of the following detailed engineering plans, studies and computations, as well as appropriate checklists a, plan review and permit applications and associated fees:
  - a. On-site Stormwater Management (SWM) Plans;
  - b. Sediment Control Plans for all disturbed areas;
  - c. Public Improvement Plans.
6. All detailed engineering plans must be submitted on 24" x 36" sheets at 1" = 30' scale.
7. Submission, for review and approval by the City Attorney's office prior to DPW permit issuance, all necessary deeds, easements, dedications, and declarations.
8. Comply with conditions of Development SWM Concept Approval Letter dated October 24, 2011.
9. Comply with conditions of Water and Sewer Authorization Letter dated October 24, 2011.
10. Post financial securities based on the approved construction estimate in a format acceptable to the City Attorney. Approval is coordinated through DPW staff.
11. Obtain all required permits from MDSHA for work within the Rockville Pike (MD 355) right-of-way.
12. All storm drain pipe in Rollins Avenue must be reinforced concrete pipe.

**Traffic and Transportation**

13. All internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to DPW and approved by the Chief of Traffic and Transportation Division. **(This plan shall be included in the signature set).**
14. The applicant shall provide one (1) bicycle rack (2 short-term spaces) and (1) bicycle locker (2 long-term spaces). A locked bicycle room with racks or a covered locked cage is required for long-term storage. Short term spaces are considered to be an inverted "U" bicycle rack and must be spaced (4) four feet apart. These spaces shall be provided at a safe and secure location approved by DPW prior to the signature set approval. Bike lockers and racks must be installed prior to issuance of the occupancy permit.
15. Submission, for review and approval from DPW prior to issuance of the building permit, a phasing plan for pedestrian access, construction access, staging and parking. Pedestrian access plan for construction period shall be included, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks, temporary closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks.

16. The applicant shall pay the County's Development Impact Tax, as applicable, subject to the allowable credits allowed by Montgomery County, prior to the issuance of the building permit. The applicant shall submit a receipt of payment to Inspection Services and the Traffic and Transportation Division prior to the issuance of the building permit.

**Inspection Services Division**

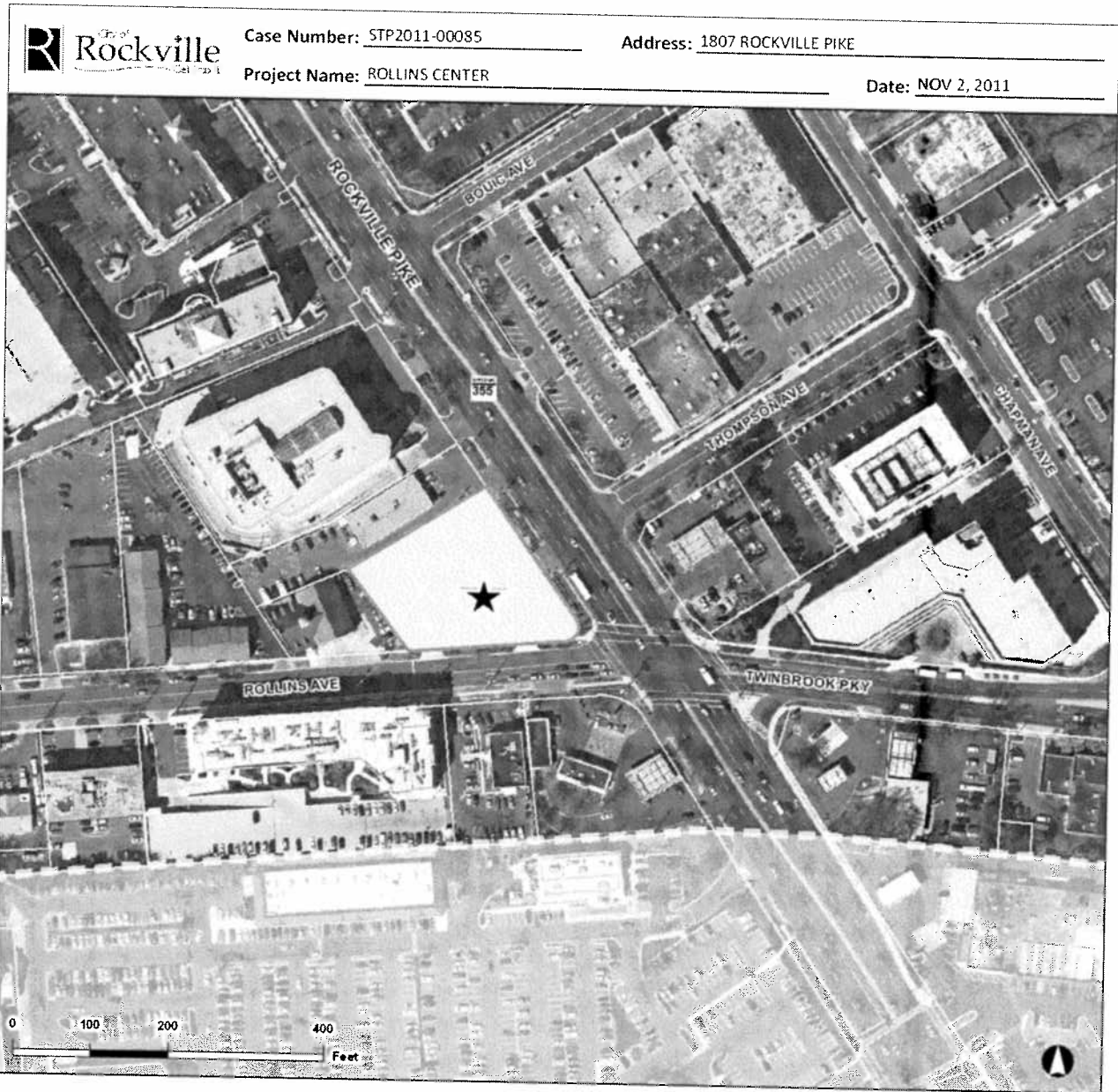
17. The Building shall comply with the City of Rockville Code, Chapter 5 and the MD Statewide Fire Prevention Code.

**Forestry Department**

18. In accordance with the requirements of the Forest and Tree Preservation Ordinance, the applicant shall submit for review and approval a Final Forest Conservation Plan (FCP) and obtain a Forestry Permit (FTP) prior to release of the Building permit.
  - a. The Final FCP shall be based on the Site Plan and provide tree plantings consistent with the Landscape Plan.
  - b. The Final FCP will be reviewed concurrently with the detailed engineering drawings that are submitted to the Department of Public Works.
19. The applicant must execute a Five-year Warranty and Maintenance Agreement in a form suitable to the City prior to issuance of the Forestry permit.
20. The applicant must post a bond or letter of credit approved by the City prior to issuance of the Forestry permit.
21. Obtain a Roadside Tree Removal permit from the Maryland Department of Natural Resources (MD DNR) for street tree removals within the Route 355 right of way prior to issuance of the building permit. Receive approval from MD DNR for tree planting within the Route 355 right of way prior to planting.

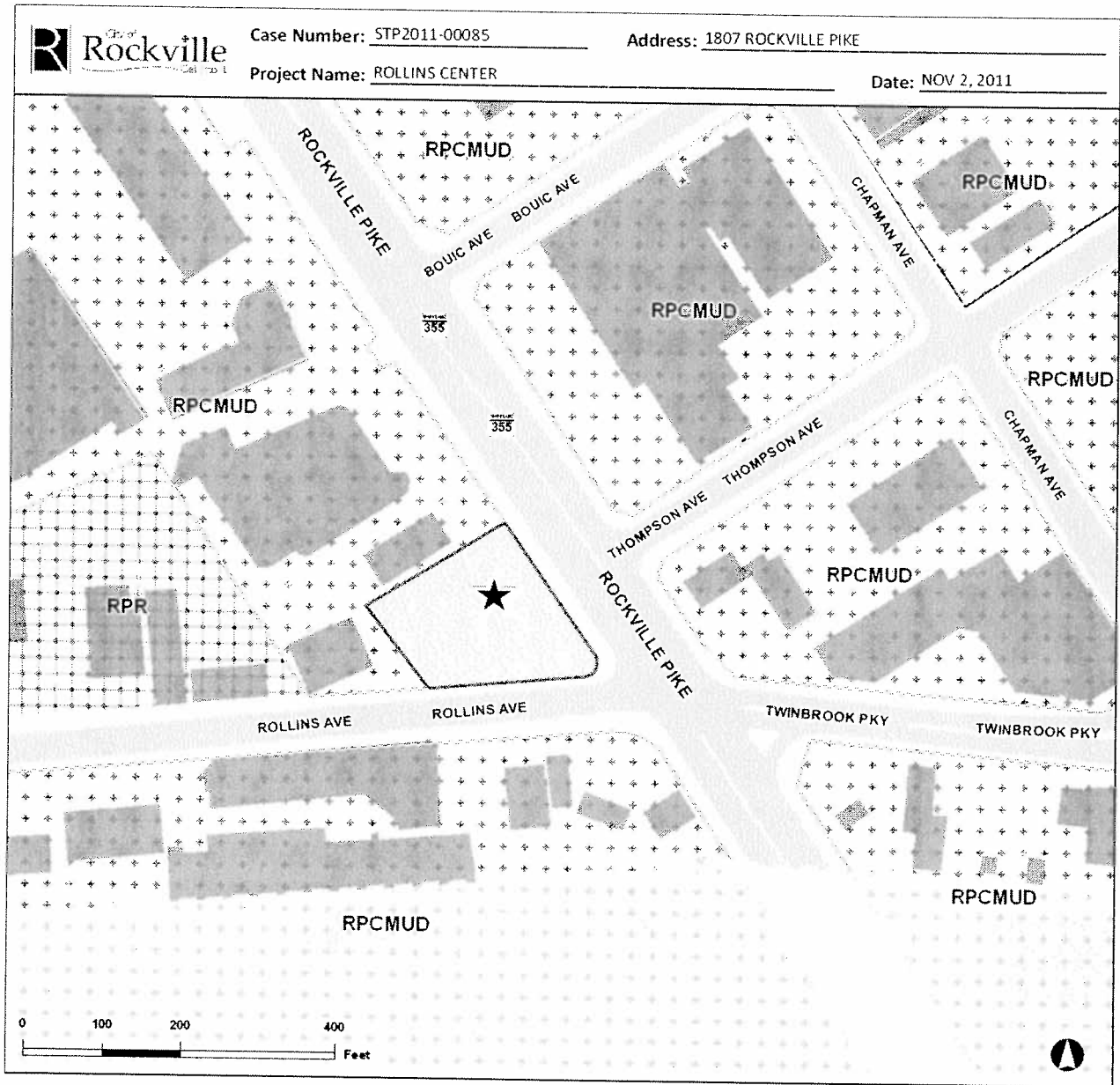
**State Highway Administration**

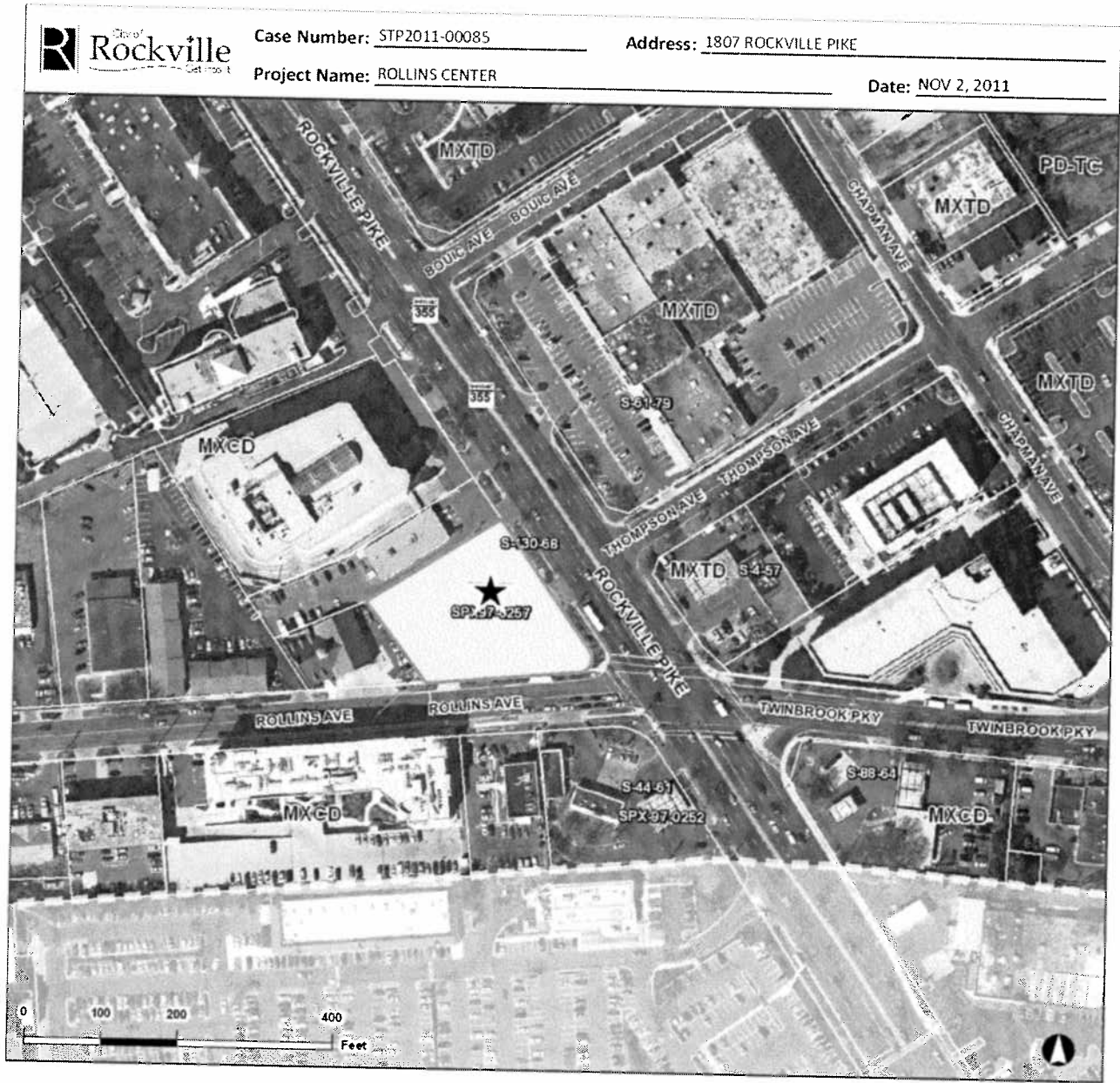
22. Comply with any SHA requirements as indicated in Attachment 10 dated August 31, 2011.





Attachment 2: Land Use Map

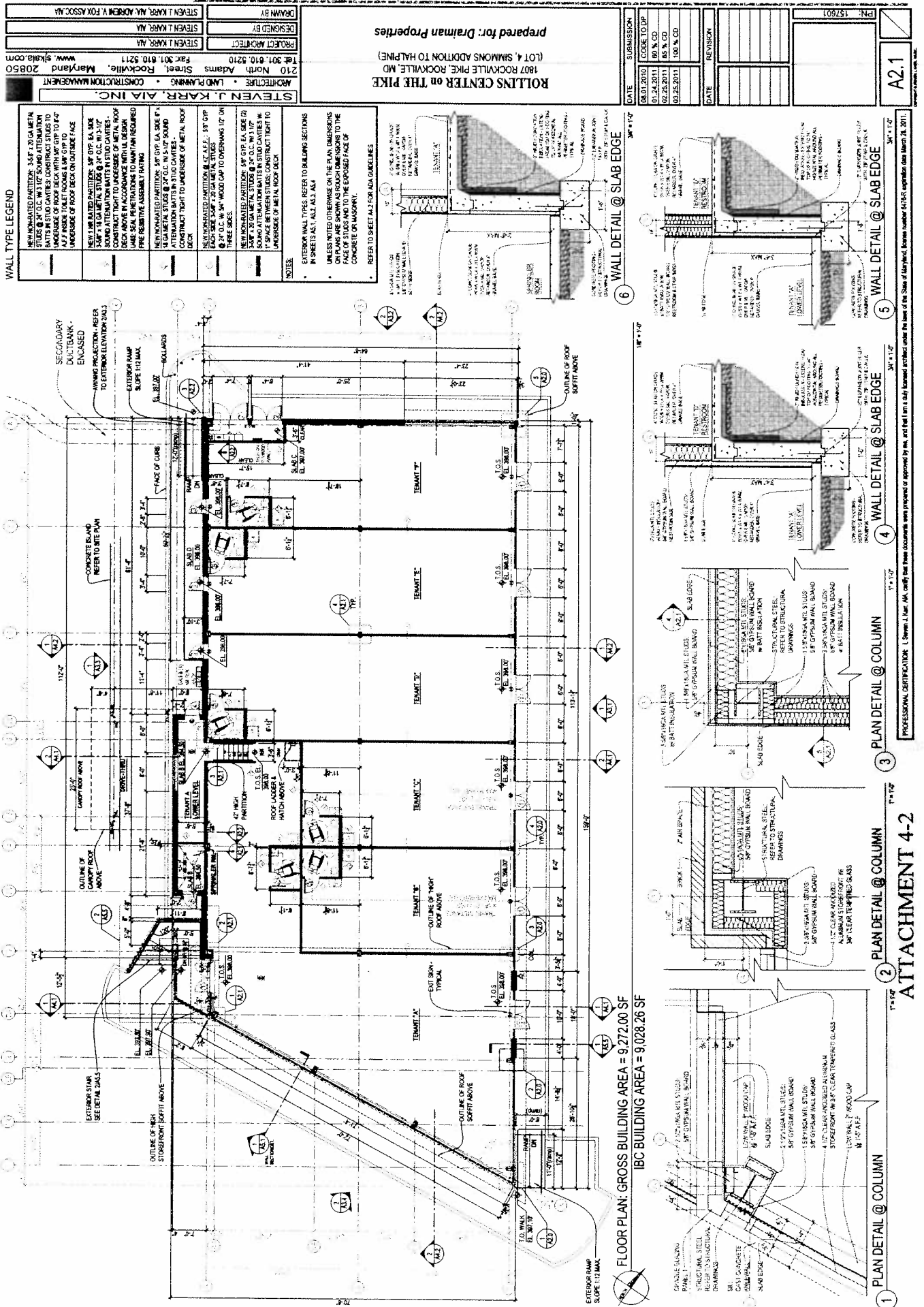


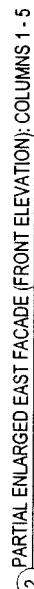
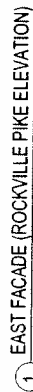


Legend

- |  |                                     |  |
|--|-------------------------------------|--|
| R-400 - Residential Estate                                   | RMD-10 - Residential Medium Density | MXC - Mixed-Use Commercial               |
| R-200 - Suburban Residential                                 | RMD-15 - Residential Medium Density | MXCD - Mixed-Use Corridor District       |
| R-150 - Low Density Residential                              | RMD-25 - Residential Medium Density | MXE - Mixed-Use Employment               |
| R-90 - Single Unit Detached Dwelling, Restricted Residential | PD - Planned Development            | MXNC - Mixed-Use Neighborhood Commercial |
| R-75 - Single Unit Detached Dwelling, Residential            | IL - Light Industrial               | MXT - Mixed-Use Transition               |
| R-60 - Single Unit Detached Dwelling, Residential            | PARK - Park Zone                    | MXTD - Mixed-Use Transit District        |
| R-40 - Single Unit Semi-detached Dwelling, Residential       | MXB - Mixed-Use Business            | Special Exceptions                       |
| Clusters   | Historic Preservation Parcels       | Twinbrook Metro Performance District     |
| Planned Developments   | Lincoln Park Conservation Overlay   | Town Center Performance District         |





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EF: 2 1/2" EPS

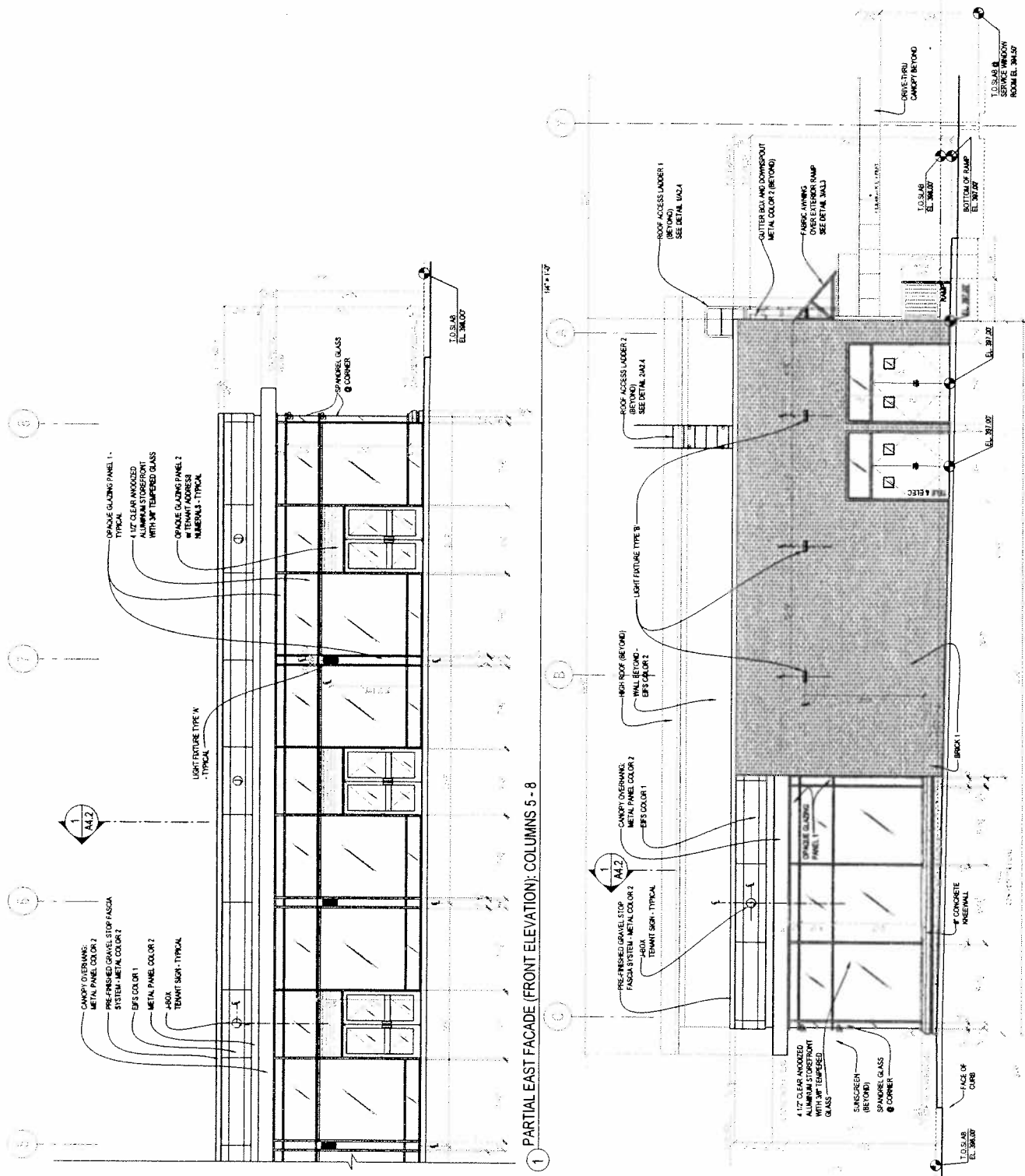
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ROLLINS CENTER on THE PIKE  
1807 ROCKVILLE PIKE, ROCKVILLE, MD  
(LOT 4, SIMMONS ADDITION TO HALPINE)  
Prepared for: Dralman Properties

LANNING • CONSTRUCTION MANAGEMENT  
 MR. LANNING  
 Street, Rockville, Maryland 20850  
 Fax: 301.610.5211  
 www.sjkala.com  
 STEVEN J. KARR, AIA  
 STEVEN J. KARR, AIA  
 STEVEN J. KARR, AIA  
 STEVEN J. KARR, AIA, KARR & FOX ASSOC. AIA

| DATE       | SUBMISSION | DATE | REVISION |
|------------|------------|------|----------|
| 01.01.2010 | CODE TO DP |      |          |
| 24.2.2011  | 60 % CD    |      |          |
| 25.2011    | 85 % CD    |      |          |
| 25.2011    | 100 % CD   |      |          |

Steven J. Kurt, MA, certifies that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 6476-A, expiration date March 28, 2011.

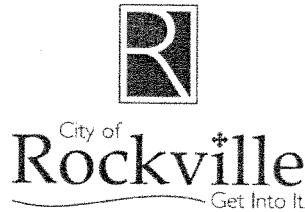






2 SOUTH FACADE (ROLLINS AVENUE ELEVATION)





111 Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-5000  
www.rockvillemd.gov

October 24, 2011

Mr. David Draiman  
Draiman Properties 7, LLC  
130 Rollins #110  
Rockville, Maryland 20850

RE: 1807 Rockville Pike - Water and Sewer Authorization Site Plan STP2011-00085

Dear Mr. Draiman:

The Engineering Division of the Department of Public Works (DPW) has completed its review of the above referenced plan received on September 21, 2011, for water and sewer service to support the proposed building at 1807 Rockville Pike. The proposed project consists of the following improvements: a 9,272 square foot building, parking lot and associated utility infrastructure.

Existing Conditions

The site is bounded by Rockville Pike to the east and Rollins Avenue to the south. The previous building was served by a sewer in the Rock Creek Sewershed; however, an existing 8-inch sewer line is located in the Rollins Avenue right-of-way (ROW), which is in the Cabin John Sewershed. Existing water mains are located in both the Rockville Pike and Rollins Avenue ROW; the previous building was served by an 8-inch water main located in Rockville Pike.

Development Application

The applicant is requesting to utilize the existing on-site sewer service connection to the terminus manhole in Rockville Pike. The applicant is requesting to install a new 6-inch water service connection to the existing 8-inch water main in Rollins Avenue for both fire (6-inch) and domestic (2-inch) water service.

ATTACHMENT 5-1

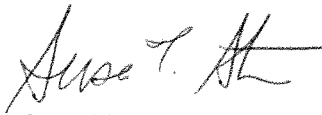
Findings and Conditions of Approval

1. The Rock Creek sewershed cannot adequately provide the necessary sewer service for this project. However, the existing 8-inch main in the Cabin John sewershed can.
  - a. The applicant must install a new sewer house connection to the 8-inch sewer main on Rollins Avenue.
  - b. The applicant must abandon the existing sewer service connection on Rockville Pike.
2. The existing 8-inch public water main along Rollins Avenue is adequate to provide necessary water service for this project; however, the fire protection is not adequate. The existing fire hydrant located along Rollins Avenue provides inadequate flow of less than 1,000 gpm.
  - a. Replace the existing hydrant and lead pipe to achieve fire flow greater than 2,000 gpm, which is adequate for this planning zone. The exact location will be determined during detailed engineering review.
  - b. Abandon the existing water service connection on Rockville Pike and connect the new 6-inch service to the water main in Rollins Avenue.
  - c. Install the new water meter at the ROW. Meter size will be determined by the City Inspection Services Division (ISD).
  - d. Establish an easement for the water meter serving the site. No landscaping may be planted within the water meter easement.
3. Submit water and sewer construction documents to DPW for review, approval and permitting at the detailed engineering stage.
4. Obtain permits from DPW and ISD, as required.
5. Any substantial changes or revisions to the proposed development information, as shown on the plan received September 21, 2011, may require a modification, revision or deletion of these conditions.
6. Fire flow requirements per the Maryland State Fire Prevention Code, specifically NFPA 1, 2009 Edition, must be met. A fire hydrant must be within 100 feet of the fire department connection for the building. This distance is measured along the path of the fire hose. Coordinate location with the Fire Marshall.

Mr. David Draiman  
October 24, 2011  
Page 3

If you have any questions, please contact Becky Andrus, Civil Engineer I, at bandrus@rockvillemd.gov or at 240-314-8519.

Sincerely,

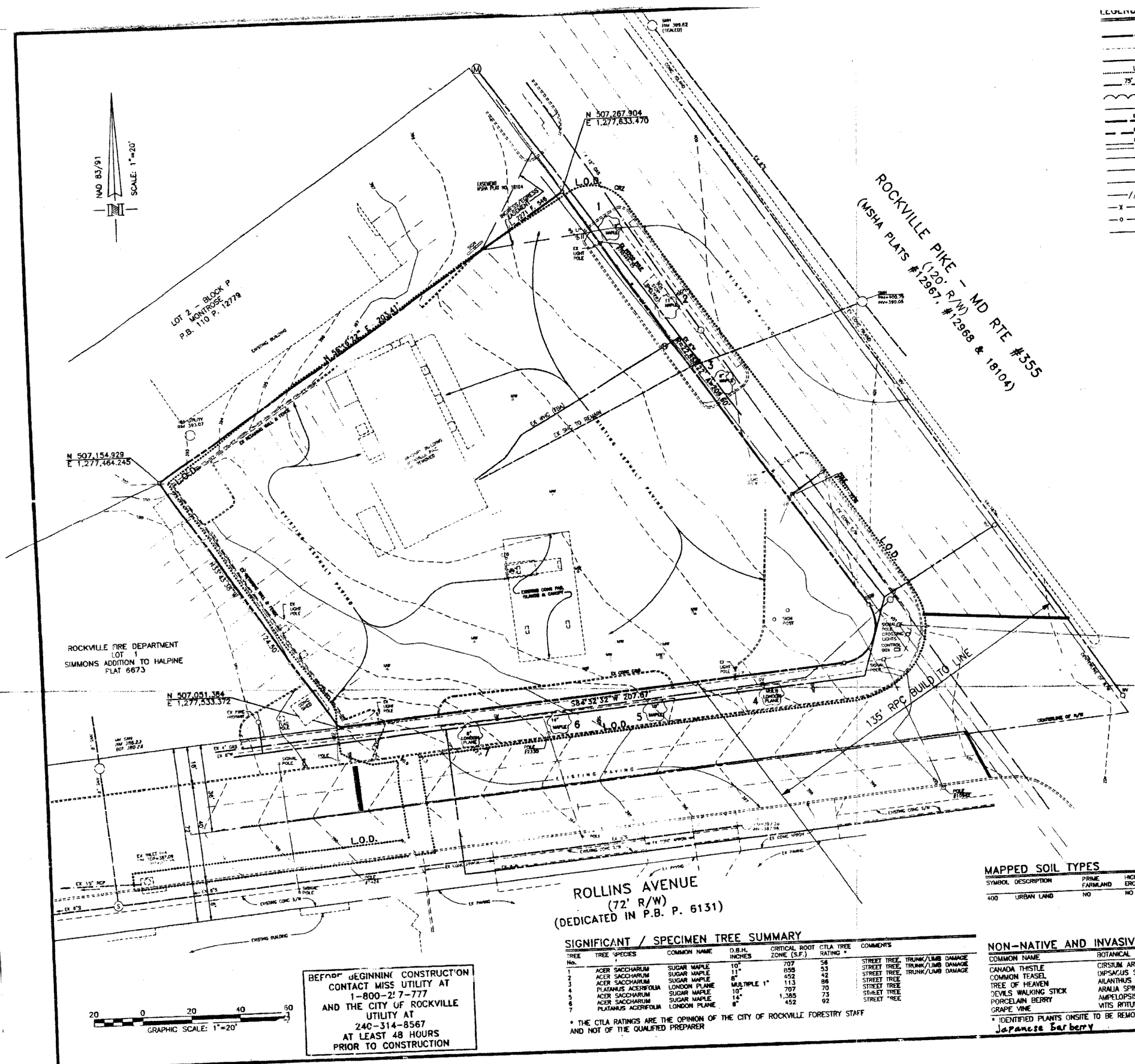
A handwritten signature in black ink, appearing to read "Susan T. Straus".

Susan T. Straus, PE  
Chief of Engineering

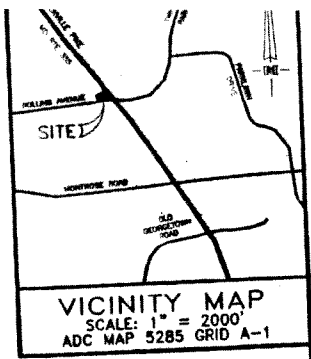
STS/BA/kmc

cc: Dean Packard, PG Associates, Inc.  
Bobby Ray, Principal Planner  
Nicole Walters, Planner II  
Matt Shanks, Fire Marshall  
Mark Wessel, Engineering Supervisor  
Becky Andrus, Civil Engineer I  
Permit plan, STP2011-00085  
Water and Sewer Authorization file  
Day file

ATTACHMENT 5-3



- LEGEND
- PROPERTY LINE
  - EXISTING CONTOUR
  - PROPOSED CONTOUR
  - LIMIT OF DISTURBANCE
  - ROOF TOP DISCONNECT FLOW PATH
  - TREE LINE
  - EXISTING OVERHEAD LINES
  - EXISTING WATER LINES
  - EXISTING SEWER LINES
  - EXISTING STORM DRAIN
  - EXISTING UNDERGROUND GAS LINES
  - EXISTING UNDERGROUND ELECTRICAL LINES
  - EXISTING UNDERGROUND TELEPHONE / CABLE LINES
  - EXISTING WOOD FENCE
  - EXISTING / PROPOSED WIRE FENCE
  - EXISTING RAIL FENCE
  - PROPOSED SUPER SILT FENCE
  - EXISTING TREE WITH CRITICAL ROOT ZONE
  - SPECIMEN / SIGNIFICANT TREE



- GENERAL NOTES
- THIS SITE IS IN THE CITY OF ROCKVILLE, MONTGOMERY COUNTY, MARYLAND.
  - BOUNDARY BY AVAILABLE DEEDS AND PLATS.
  - TOPOGRAPHY BY FIELD SURVEY BY GORDON SURVEYS, LLC DATED MARCH 2010
  - STREET ADDRESS: 1807 ROCKVILLE PIKE
  - TAX ID NUMBER: 04-00155868
  - TAX MAP: 04-00155868
  - 200 SHEET: 216-NW-08
  - WATER SHED: CAIN JOHN
  - DEED REFERENCE: LIBER 31008 FOLIO 228
  - PLAT REFERENCE: LOT 4, SIMMONS ADDITION TO HALPINE PLAT BOOK 88 AT PLAT 9377
  - UTILITY COMPANIES: AT&T, COMCAST

- ZONING INFORMATION
- EXISTING ZONING: UNZC  
MIN LOT SIZE: N/A  
PUBLIC USE SPACE: 20%  
SETBACK REQUIREMENTS:  
FRONT: NONE  
SIDE: NONE, 10 FEET MIN IF PROVIDED  
REAR: NONE, 10 FEET MIN IF PROVIDED  
HEIGHT: 25 FEET MAX  
(BASED ON NO RESIDENTIAL ZONED PROPERTY ADJACENT SITE)

PROPERTY INFORMATION

ADDRESS: 1807 ROCKVILLE PIKE  
TOTAL AREA: 36,512 S.F.  
TAX ACCOUNT NUMBER: 04-00155868  
TAX MAP: GR-343  
LOT 4, SIMMONS ADDITION TO HALPINE  
LIBER 31008 FOLIO 228  
OWNER / APPLICANT:  
URBAN PROPERTIES  
130 ROLLINS AVENUE, SUITE 110  
ROCKVILLE, MD 20852  
CONTACT: DAVID GRAMANN  
PH: 301-881-3090 FAX: 301-881-3288

- NRI NOTES
- THERE ARE NO NON-TIDAL WETLANDS IDENTIFIED ON THE PROPERTY DURING THE COURSE OF THE FSD.
  - A REQUEST HAS BEEN MADE TO THE DEPARTMENT OF NATURAL RESOURCES FOR IDENTIFICATION OF ANY RARE, THREATENED OR ENDANGERED SPECIES ON THE SITE.
  - THERE ARE NO HISTORIC OR CULTURAL FEATURES ON THE SITE.
  - THIS NRI / FSD ONLY COVERS LOT 4.
  - THERE IS NO 100 YEAR FLOOD PLAIN ON THIS PROPERTY.
  - THE SIGNIFICANT TREES SHOWN ON THIS PLAN HAS BEEN FIELD SURVEYED.
  - THIS PROPERTY IS EXEMPT FROM AFFORESTATION.
  - REMOVE ANY NON-NATIVE OR INVASIVE PLANT SPECIES FROM THE SITE.

FOREST STAND SUMMARY TABLE

|                                 |   |            |
|---------------------------------|---|------------|
| EXISTING FOREST                 | = | 0.00 ACRES |
| WETLANDS                        | = | 0.00 ACRES |
| STREAM BUFFER                   | = | 0.00 ACRES |
| AREA OF SITE WITHIN FLOOD PLAIN | = | 0.00 ACRES |
| WETLANDS                        | = | 0.00 ACRES |
| STREAM BUFFER                   | = | 0.00 ACRES |
| FOREST                          | = | 0.00 ACRES |

MAPPED SOIL TYPES

| SYMBOL | DESCRIPTION | PRIME FARMLAND | HIGHLY ERODIBLE | HYDRIC |
|--------|-------------|----------------|-----------------|--------|
| 400    | URBAN LAND  | NO             | NO              | NO     |

ROLLINS AVENUE  
(72' R/W)  
(DEDICATED IN P.B. P. 6131)

SIGNIFICANT / SPECIMEN TREE SUMMARY

| TREE No. | TREE SPECIES        | COMMON NAME  | D.B.H. INCHES | CRITICAL ROOT ZONE (S.F.) | CITIA TREE RATING * | COMMENTS                       |
|----------|---------------------|--------------|---------------|---------------------------|---------------------|--------------------------------|
| 1        | ACER SACCHARUM      | SUGAR MAPLE  | 10"           | 707                       | 58                  | STREET TREE, TRUNK/LIMB DAMAGE |
| 2        | ACER SACCHARUM      | SUGAR MAPLE  | 11"           | 855                       | 53                  | STREET TREE, TRUNK/LIMB DAMAGE |
| 3        | ACER SACCHARUM      | SUGAR MAPLE  | 8"            | 452                       | 42                  | STREET TREE                    |
| 4        | PLATANUS ACERIFOLIA | LONDON PLANE | MULTIPLE 1"   | 113                       | 86                  | STREET TREE                    |
| 5        | ACER SACCHARUM      | SUGAR MAPLE  | 10"           | 707                       | 70                  | STREET TREE                    |
| 6        | ACER SACCHARUM      | SUGAR MAPLE  | 14"           | 1,385                     | 73                  | STREET TREE                    |
| 7        | PLATANUS ACERIFOLIA | LONDON PLANE | 8"            | 452                       | 92                  | STREET TREE                    |

\* THE CITIA RATINGS ARE THE OPINION OF THE CITY OF ROCKVILLE FORESTRY STAFF AND NOT OF THE QUALIFIED PREPARER

NON-NATIVE AND INVASIVE PLANT SPECIES \*

| COMMON NAME          | BOTANICAL NAME            |
|----------------------|---------------------------|
| CANADA THISTLE       | CIRSILUM ARVENSE          |
| COMMON TEASEL        | ALNANTHUS ALTISSIMA       |
| TREE OF HEAVEN       | AIJALIA SPINOSA           |
| DEVILS WALKING STICK | AMPELOPSIS BREVIDUNCULATA |
| PORCELAIN BERRY      | VITIS ROTUNDIFOLIA        |
| GRAPE VINE           | VITIS ROTUNDIFOLIA        |

\* IDENTIFIED PLANTS ON-SITE TO BE REMOVED

Japanese Barberry

Approved FSD  
City of Rockville  
FSD # 2010-00013  
Paula Peutz 10/12/10  
Authorized Signature

Prepared by:  
GREGORY CURTIS BENEFIT  
Qualified Professional  
Coker 08.11.08.04

P.G. ASSOCIATES, INC.  
CIVIL ENGINEERS \* SURVEYORS \* LAND PLANNERS  
18220 FREDERICK ROAD, SUITE 300  
GAITHERSBURG, MARYLAND 20877  
PHONE (301) 208-0250 FAX (301) 208-1270

NRI / FSD PLAN  
ROLLINS CENTER ON THE PIKE  
1807 ROCKVILLE PIKE  
LOT 4 - SIMMONS ADDITION TO HALPINE - PLAT 9378  
and LIBER 31008 FOLIO 228 & LIBER 33735 FOLIO 557  
CITY OF ROCKVILLE  
MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=20'  
DATE: 04/15/10  
ACD FILE NAME: HALPINE/HALPINE2.DWG  
JOB NO.:  
SHEET: 1 of 1



111 Maryland Avenue | Rockville, Maryland 20850-2364 | 240-314-5000  
www.rockvillemd.gov

October 24, 2011

Mr. Dean Packard  
PG Associates, Inc.  
16220 Frederick Road, Suite 300  
Gaithersburg, Maryland 20877

Re: Rollins Center on the Pike, Development SWM Concept Approval, SMP2011-00021,  
STP2011-00085, Simmons Addition to Halpine, Lot 4

Dear Mr. Packard:

The revised Development Stormwater Management (SWM) Concept received on October 24, 2011 for the above referenced site is conditionally approved. The project includes a retail building, parking lot and associated infrastructure. The project is identified as Simmons Addition to Halpine, Lot 4. The 0.84-acre property is in the Cabin John Watershed and is zoned MXCD.

The total on-site imperviousness subject to SWM is 0.71 acres. The total imperviousness in the adjacent right-of-way (ROW) subject to SWM is 0.26 acres.

The Pre-Application SWM Concept was approved on March 9, 2011. That concept established a Required Minimum Environmental Site Design Volume (ESDv) of 15 percent.

The submitted Development SWM Concept, as shown on the attached plan entitled "Development Stormwater Management Concept Plan," proposes the following:

**Environmental Site Design Measures**

- The Development SWM Concept proposes to provide 20 percent of the Required ESDv in the following Environmental Site Design (ESD) measures:
  - Porous paving.

**ATTACHMENT 7-1**

Mayor Phyllis Marcuccio | Councilmembers John B. Britton, Piotr Gajewski, Bridget Donnell Newton, Mark Pierzchala  
City Manager Scott Ullery | Acting City Clerk Brenda Bean | City Attorney Debra Yerg Daniel

**Structural Measures**

- Water quality in a proprietary measure (Sorbitive Filter) with underground storage via a trench stone and recharge chamber to treat the portion of the impervious areas that are not provided by the ESD measure.

**Alternative Measures – Monetary Contribution**

- Monetary Contribution – Qp10 for the entire on-site impervious area of approximately 0.71 acres will be provided by a monetary contribution in lieu of providing on-site SWM.
- Monetary Contribution – Cpv, Wqv and Qp10 for 0.26 impervious acres in the adjacent ROW for Rollins Avenue and Frederick Road (MD Route 355) will be provided by a monetary contribution in lieu of providing on-site SWM.
- The total monetary contribution, based on the current fees, is projected to be approximately \$27,720 (0.71 impervious acres x \$20,000/acre + 0.26 impervious acres x \$52,000/acre).

This Development SWM Concept is approved subject to the following conditions, which must be addressed at the stages in the process as indicated below:

1. Applicant shall make a monetary contribution to the City Stormwater Management Fund as a SWM Alternative to providing Qp10 on-site management for the entire site. At the rate of \$20,000 per impervious acre, the fee-in-lieu is estimated to be \$14,200. The impervious area used to calculate the monetary contribution will be determined at final engineering and will be based on the fees at that time. A plan and computations detailing the monetary contribution impervious area and fee calculation must be provided with the final engineering submission. Payment of the monetary contribution is required prior to the Department of Public Works (DPW) Stormwater Management Permit (SMP) issuance.
2. Applicant shall make a monetary contribution to the City Stormwater Management Fund as a SWM Alternative to providing Cpv, WQv and Qp10 management for the portion of the adjacent ROW (Rockville Pike and Rollins Avenue) that does not drain to a SWM measure. At the rate of \$52,000 per impervious acre, the fee-in-lieu is estimated to be \$13,520. The impervious area used to calculate the monetary contribution will be determined at final engineering and will be based on the fees at that time. A plan and computations detailing the monetary contribution impervious area and fee calculation must be provided with the final engineering submission. Payment of the monetary contribution is required prior to SMP issuance.
3. Submit a SMP Permit Application, Application and Plan Review Fees, detailed SWM Plans and computations signed and sealed by a Professional Engineer (PE) licensed in the state of Maryland for review and approval by DPW. The submitted material must:
  - a. Demonstrate compliance with the attached Development SWM Concept Plan including locations, types and sizing of ESD measures. ESD to the Maximum Extent Practicable (ESD to the MEP) for this project has been established at 20 percent of the required ESDv.

ATTACHMENT 7-2

- b. Include porous concrete typical sections for review and approval during final engineering.
  - c. Design the underground storage system as a structural method such as pipes or a concrete vault. All underground systems must meet OSHA and Montgomery County standards for access and confined spaces. The proposed method of storage, specifically the use of an underground trench stone and proprietary recharge chamber, will not be permitted as a method for providing storage of runoff to be treated in the water quality measure.
  - d. Specify a Sorbitive Filter model as approved by the Montgomery County Department of Permitting Services.
  - e. Wherever possible, the angle between inlet and outflow pipes should never be less than 90 degrees.
  - f. Revise the on-site storm drain system to include another inlet upstream of the control structure due to concerns about the amount of surface runoff directed to the control structure.
  - g. Revise the on-site storm drain system to remove the storm drain structures out of the porous paving area. If possible a minimum horizontal clearance of five feet should be provided.
  - h. Include a SWM Database Sheet (available at the DPW counter).
- 4. Post financial security based on the approved SWM construction estimate in a format acceptable to the City Attorney. Approval, which is coordinated through DPW staff, is required prior to SMP issuance.
  - 5. Submit a SWM Easement, Inspection and Maintenance Agreement (Agreement) signed by the property owner for review and approval by DPW and the City Attorney's Office. The approved Agreement must be recorded in the Montgomery County Land Records prior to SMP permit issuance. Access routes to all aspects of the SWM facilities will be determined in conjunction with final engineering review and must be addressed in the SWM Agreement.
  - 6. Obtain approval of a Forest Conservation Plan (FCP) from the City Forester prior to DPW issuance of SMP and SCP permits.

Any significant modification, revisions or alterations to the approved types, methods, locations and sizes of SWM measures approved with this SWM Concept may result in the requirement to submit a revised SWM Concept for approval by DPW.

Mr. Dean Packard  
October 24, 2011  
Page 4

This SWM approval does not infer or supercede other required project approvals and is contingent upon meeting all other requirements including, but not limited to, forestry, traffic and transportation, planning, Washington Suburban Sanitary Commission and Maryland State Highway Administration.

If you have any questions, please contact Becky Andrus at [bandrus@rockvillemd.gov](mailto:bandrus@rockvillemd.gov) or at 240-314-8519.

Sincerely,



Susan T. Straus, PE  
Chief of Engineering

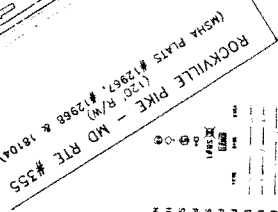
STS/BA/kmc

Attachments: Development Stormwater Management Concept Plan, received October 24, 2011

cc: Soo Lee-Cho, Miller, Miller & Canby  
Jim Wasilak, Chief of Planning  
Nicole Walters, Planner II  
Elise Cary, Assistant City Forester  
Mark Wessel, Engineering Supervisor  
Mary Fertig, Civil Engineer III  
Becky Andrus, Civil Engineer I  
SWM Concept file  
Permit plan, SMP2011-00021, STP2011-00085  
Day file

ATTACHMENT 7-4



[illegible]

GENERAL NOTES

1. THE CITY OF RICHMOND, VIRGINIA, COUNTY, VIRGINIA.
2. BOARDMAN AND MANNING, DESIGN AND PLAN.
3. STREET LIGHTS TO BE SUPPLIED BY GEORGE WARENTS, LLC (P.O. BOX 2010, 1000 N. 10TH STREET, SUITE 200, RICHMOND, VA 23219).
4. SEE DRAWING 01-04-2004A.
5. SEE DRAWING 02-01-041.
6. SEE DRAWING 21-01-041.
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85. SEE DRAWING 100-01-041.

| AREA No. | AREA (AC) | UNDESIRABLE AREA (A <sup>2</sup> ) | FSD | W/O | C/O | DO/O |
|----------|-----------|------------------------------------|-----|-----|-----|------|
| 1        | 0.33      | 0.26                               | N/A | C   | C   | C    |
| 2        | 0.62      | 0.51                               | N/A | B   | B   | C    |
| 3        | 0.15      | 0.15                               | A   | N/A | C   | C    |
| 4        | 0.07      | 0.05                               | N/A | B   | B   | N/C  |

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16. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
17. DATE 05-11-2001 BY 60322 UCBAW/BJS
18. EXEMPT FROM GDS
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97. DATE 05-11-2001 BY 60322 UCBAW/BJS
98. EXEMPT FROM GDS
99. DATE 05-11-2001 BY 60322 UCBAW/BJS
100. EXEMPT FROM GDS

**GENERAL NOTES**

1. SEE LIST OF THE CITY OF ROCKWELL, WINDSOR COUNTY, MARYLAND.
2. REMOVAL OF FIELD STUMP BY GOOD SERVICE, INC. 1000 GREEN 234
3. STREET ADDRESS: 1000 GREEN 234
4. SEE MAP: CD-343 000-2344
5. SEE SPEC. 216 NW-104
6. SEE SPEC. 216 NW-104
7. SEE ATTACHMENT LABEL 11000 GREEN 234

[illegible]

DEVELOPMENT STORMWATER MANAGEMENT  
CONCEPT PLAN  
ROLLINS CENTER ON THE PIKE  
1807 ROCKVILLE PIKE  
LOT 4 - SIMMONS ADDITION TO HALPINE - PLAT 9328  
AND LIBER 31008 FOLIO 228 & LIBER 33735 FOLIO 557  
CITY OF ROCKVILLE  
ROCKVILLE ELECTION DISTRICT NO. 4  
MONTGOMERY COUNTY, MARYLAND

P.G. ASSOCIATES, INC.  
CIVIL ENGINEERS \* SURVEYORS \* LAND PLANNERS  
15220 FREDERICK ROAD, SUITE 300  
GAITHERSBURG, MARYLAND 20877  
PHONE (301) 208-0250 FAX (301) 208-1270



PG ASSOCIATES, INC.  
ENGINEERS • LAND PLANNERS • SURVEYORS

Dean Packard, P.E.

September 14, 2011

Ms. Nicole Walters  
City of Rockville  
Dept. of Community Planning and Development Services  
111 Maryland Avenue  
Rockville, MD 20850

Re: Rockville City Code Waiver  
Landscape Waiver  
Section 25.17.02.a

Dean Nicole:

In accordance with the said code section, in reference to the Landscape, Screening and Lighting Manual, Section 4.d.2(b), the minimum landscape strip must be at least seven (7) feet in width to allow for the planting of trees.

We are requesting that a waiver from this requirement be granted for the northwestern property boundary within the limits of the parking spaces. This property is in the MXTD zone and in accordance with Section 4.d.2(b)(iv), the Planning Commission may reduce the width of the said strip by 25% if a fence or wall is incorporated into the design.

Within the limits of the 63' long parking space strip, we propose to plant the required landscaping within a 6' grass strip and install a 6' wood fence on the property line, also 63' long. Adjoining our property to the north is an access drive abutting our property and a one story commercial building.

Given the limited space and topographic constraints, we feel that including a fence into the design will present a better design solution, buffering the adjoining commercial property.

If you have any questions or require any additional information, please contact me at once.

Sincerely,  
PG ASSOCIATES, INC.

Dean Packard, PE

ATTACHMENT 8-1



PG ASSOCIATES, INC.  
ENGINEERS • LAND PLANNERS • SURVEYORS

Dean Packard, P.E.

September 14, 2011

Ms. Nicole Walters  
City of Rockville  
Dept. of Community Planning and Development Services  
111 Maryland Avenue  
Rockville, MD 20850

Re: Rockville City Code Waiver  
Code Waiver  
Section 25.17.03.b.2

Dear Nicole:

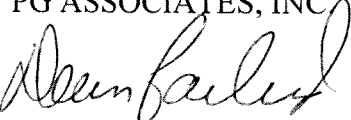
In accordance with the said code section, we are required to place all electrical, telecommunications, and cable television equipment underground, unless waived.

We are requesting that a waiver in accordance with Section 27.17.03.c from this requirement be granted for this property. Due to site limitations, we are limited to locating the transformer pad to the rear of the building next to the dumpster enclosure. Give the limited space between the parking lot, infiltration trench, retaining wall and the dumpster enclosure, it is not feasible to install the transformer within an enclosed building.

Upon making a finding that the transformer is not required to be within an enclosed building, we request that the Planning Commission grant a waiver for the following reason. We content that it would be unsafe to install the transformer underground because of the immediate proximity of the stormwater management infiltration trench. This trench will be frequently saturated with water which would be a safety concern for an underground electrical structure.

The transformer shall be screened on three sides, providing a 10' clearance from the front and 3' clearance from the sides as required by PEPCO. Providing the required clearance in the front does not allow any landscaping or gating as shown on the attached landscape plan. The proposed yew hedge shall provide adequate screening as required.

If you have any questions or require any additional information, please contact me at once.

Sincerely,  
PG ASSOCIATES, INC.  


Dean Packard, PE  
President

ATTACHMENT 9-1



## ATTACHMENT 11

### Article 13- Mixed-Use Zones

#### 25.13.06 Additional Design Guidelines

- a. **Purpose:** It is the purpose of this section to establish guidelines that will promote the highest quality of development in the Mixed Use Zones. New Development or redevelopment should be consistent with the intent and purpose of the following guidelines.
- b. **Aesthetic and Visual Characteristics for All Zones**
  1. **Facades and Exterior Walls Including Sides and Backs** – Buildings should be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character and scale. It is recommended that building walls greater than 100 feet long including projections, recessions or other treatments sufficient to reduce the unbroken massing of the façade along the sides of the building facing public streets.
    - (a) Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least 60 percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on-site.
    - (b) Buildings should include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs.

***Response: The proposed project complies with façade and exterior wall massing. The building is only one (1) story in height so there are no massing issues. The look of the building is uniform and the colors used are consistent with newly developed buildings in the area.***

2. **Roofs** – Roof design should provide variations in rooflines where appropriate and add interest to, and reduce the massive scale of large buildings. Roof features should complement the architectural and visual character of adjoining neighborhoods. Roofs should include two (2) or more roof planes. Parapet walls should be architecturally treated to avoid a plain, monotonous look. For energy

saving purposes, roof design should also include a light color surface or be planted with vegetation.

***Response: The proposed project complies with the guidelines for varying roof line. While the building is only one (1) story there is a slight variation in the roof plan that provides some visual interest to the building.***

3. Material and Color –

- (a) General Provisions – Buildings should have exterior building materials and colors and are compatible with materials and colors that are used in adjoining neighborhoods. Certain types of colors should be avoided such as fluorescent or metallic, although brighter colors may be considered at the discretion of the Planning Commission.
- (b) Materials Not Desired - Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials should be avoided unless the exterior surface is covered.

***Response: The proposed building materials and colors comply with these guidelines.***

4. Items Allowed Not Facing a Public Street – The following items are only allowed either on sides not facing a public street or in the rear yard:
- a. Window and wall air conditions;
  - b. Electric utility meters;
  - c. Air conditioning compressors; and
  - d. Irrigation and pools pumps;

This section does not apply to single-unit detached, semi-detached, attached or townhouse dwellings that may be located in a Mixed-Use Zone.

***Response: The proposed project complies with these guidelines as none of these items are indicated on the site plan.***

5. Entryways – Building design must include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly visible customer entrances.

***Response: The project complies by providing clearly labeled/identifiable suite numbers on each tenant door. The bank provides pedestrian access via a corner staircase.***

6. Screening of Mechanical Equipment – Mechanical equipment must be screened to mitigate noise and views in all directions. If roof mounted, the screen must be designed to conform architecturally to the design of the building either with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.

***Response: The project shall comply with screening for mechanical equipment. The applicant is requesting a waiver from the Landscaping and Screening requirements to allow the location of a transformer above-ground, and to allow screening of the transformer on only three sides due to clearance requirements. The above ground transformer will be located on the side of the property where it is not visible from public rights-of-way.***

**c. Site Design and Relationship to Surrounding Community**

1. Vehicular Access – In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access from an arterial, major, or business district road as designated by the Plan.

***Response: The project complies with the vehicular access guidelines and has access on Rockville Pike (MD 355) and Rollins Avenue.***

2. Buffers – Each site must provide visual and noise buffers to nearby residential uses. This can be accomplished by providing a substantial building setback from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent any property line where it adjoins residential uses or zones. The landscape buffer should include a variety of tree types at regular intervals with groupings of trees to provide noise, light, and visual screening. No other uses, such as, but not limited to, parking or storage are permitted within the buffer area.

***Response: The proposed project complies with this guideline and is in compliance with the Zoning Ordinance requirements to provide landscaping buffers. The exception, pursuant to the waiver request, is the northwest corner of the property. The applicant is requesting a waiver to provide less than the required width but as indicated in the staff report, the proposed combination of landscaping and a wall will still achieve the intent of the landscaping requirement.***

**3. Outdoor Sales and Storage**

- (a) General Standards – Areas for outdoor sales of products may be permitted if they are extensions of the sales floor into which patrons are allowed free access. Such areas must be incorporated into the overall design of the building and

landscaping and must be permanently defined and screened with walls and/or fences. Materials, colors and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors to those that are predominately used on the building façade. Outdoor sales areas shall be considered as part of the gross floor area of the retail establishment, except for motor vehicle and trailer sales.

- (b) Prohibition of Certain Sales and Storage - Outdoor storage of products in an area where customers are not permitted is prohibited. This prohibition includes outdoor storage sheds and containers. Outdoor storage of motor vehicles in connection with a motor vehicle sales business is allowed.

***Response: The project complies with this guideline in that the project is not proposing any outdoor sales or storage.***

#### 4. Trash Recycling, Waste Oil Grease Collection Area –

- (a) Location – Trash recycling and waste oil/grease collection areas must be located at least 50 feet from any residential use, residentially zoned property or street is adjacent to the site, unless such operations are located entirely within an enclosed building or underground. All such areas must be properly covered or secured.
- (b) Screening – All trash recycling, and waste oil/grease collection areas that are not within an enclosed area building or underground must be properly secured and covered and screened or recessed so that they are not visible from public streets, sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas must conform to the predominant materials used on the site.

***Response: The project complies with this requirement in that the enclosed trash dumpster will be located in the northwest corner of the property and is not visible from the street. The applicant has not indicated that a waste oil/grease collection area will be located on the site.***

#### 5. Parking Lots and Structures

- (a) Parking Area Standards – Parking areas must provide safe, convenient, and efficient access. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping should be used to define parking areas, primary vehicular drives, and pedestrian areas in an aesthetically and environmentally pleasing manner.



- (b) Parking Structure Appearance – Parking structure facades should achieve the same high quality design and appearance as the buildings they serve. The parking structures utilitarian appearance should be minimized by utilizing effective design treatments such as colonnades, planted (“green”) walls, arcades, awnings, street furniture and other public amenities. Compatible materials, coordinated landscaping and screening, appropriate building color, sensitive lighting, and signage should all be considered for garage facades.

***Response: The project complies with parking area standards. Parking is concentrated around the building. The project is in compliance with the requirements of the Zoning Ordinance for parking lot landscaping. All proposed parking is surface, there is no parking structure proposed.***

6. Pedestrian and Bicycle Flows – Each site must be provided for pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development of the project. Continuous internal pedestrian walkways, no less than six feet (6') in width should be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Sidewalks should also connect retail uses to transit stops on or off-site to nearby residential neighborhoods. Sidewalks should be provided along the full length of any building where it adjoins a parking lot. On-site bicycle travel must be bicycle travel must be provided in accordance with Section 25.16.06.

***Response: The proposed project complies with the sidewalk standards. Six foot sidewalks are provided around the building and a 7.7 foot sidewalk is provided along Rollins Avenue to provide pedestrian and bicycle access.***

7. Central Features and Community Spaces – Development should provide attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer drop-off/pick-up points that may be provided should also be integrated into the design and should not conflict with traffic lands or pedestrian paths. Special design features such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces should anchor pedestrian ways. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these areas. Open space green space requirement

***Response: The project proposed the use of glass fronts along Rockville Pike to enhance pedestrian interest by allowing visibility into the tenant space. A new bus shelter will be installed on Rockville Pike (MD 355).***

## 8. Delivery and Loading Spaces, Hours of Operation

- (a) Design – Delivery and loading operations must be designed in accordance with the provisions of Article 16 and located so as to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations must be permitted between 10 p.m. and 7 a.m. For good cause shown, the Planning Commission may permit deliveries at additional times provided the applicant submits evidence that sound barriers between all areas for such operations effectively reduce emissions, to a level of 55 dB or less, as measured at the lot line of any adjoining property. Delivery and loading areas should be substantially set back from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to the delivery and loading area where it adjoins residential uses or zones. The Landscape buffer should include evergreen shrubs, and/or trees plus deciduous canopy trees at regular intervals, as appropriate, to provide light, and visual screening. If the delivery and loading spaces are located within an enclosed building or underground, no such setback and buffer area shall be required.
- (b) Parking of Delivery Trucks – Delivery trucks must not be parked in close proximity to or within a designated delivery or loading area during non-delivery hours with motor and/or refrigerators/generators running, unless the areas where the trucks are parked is set back at least 50 feet from residential to mitigate the truck noise.
- (c) Screening – The delivery and loading areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways or adjacent properties. The screen must be of masonry or other suitable opaque material and at least ten feet (10') high, measured from the loading docks floor elevation, to screen the noise and activity at the loading dock.
- (d) Ancillary Uses – The applicant must demonstrate that any ancillary uses will not have a negative impact on adjacent residential uses, residentially zoned properties, or adjacent properties. Any ancillary use should be oriented to face away from any residential use or residentially zoned property that is adjacent to the site.

***Response: The project complies with these guidelines. It is more commonly understood that any deliveries will be made to each suite separately. Any deliveries that are made will be received during normal business hours.***

***While the types of retail tenants that will occupy each suite has not been determined at this stage of the development, the bank, which is a conditional use, is directly across the street from the newly developed Rollins Ridge Mixed Use development which contains residential on the***

***top floors and retail on the ground floor. The proposed building is oriented in such a way that it does not directly face this building.***

- (e) Noise Abatement – A noise mitigation plan must be provided that indicates how the noise by the land will be mitigated to comply with noise regulations applicable in the City of Rockville. This includes compliance with the noise regulations set forth in Chapter 31B of the Montgomery County Code.

***Response: The proposed project will comply with this requirement. The applicant is aware of the acceptable hours in which to work and is fully aware of the noise regulations set forth in Chapter 31B of the Montgomery County Code.***

- (f) Outdoor Lighting- Outdoor lighting shall be in accordance with the Landscaping, Screening and Lighting manual.

***Response: Compliance with the requirements of the Landscaping, Screening and Lighting manual is a recommended condition of approval.***

- (g) Landscaping – Landscaping shall be in accordance with the Landscaping, Screening and Lighting manual.

***Response: With the exception of the above-referenced waiver request, the proposed project complies with the landscaping requirements of the Landscaping, Screening and Lighting manual. Compliance with the requirements of the Landscaping, Screening and Lighting manual is a recommended condition of approval.***

#### **25.13.07 – Special Design Regulations for Individual Mixed-Use Zones**

*Mixed-Use Corridor District Zone (MXCD)* - This zone is intended for areas along major highway corridors in areas near the MXTD Zone. It allows for moderate density development of retail, office, service, and residential uses. Because of the nature of the locations where it is applied, the zone provides some flexibility in the siting of buildings relative to major highways to accommodate service drives and required parking.

1. *Building Location:* In order to meet the intent of the Plan, buildings in the MXCD Zone should be located at the front property line or the build-to line where established by the Plan. Access should be to the rear, via alleys with access from the side street(s).

***Response: The location of the proposed building complies with the 135 foot build-to-line as established by the Plan.***

2. *Uses by Floor:* The ground floor must contain retail or service uses dealing directly with the public along those streets designated in the Plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor should normally have a ceiling height of at least 15 feet. At the time of site plan review or Project Plan review, the Approving Authority may consider a lower ceiling height if appropriate in the particular circumstance. The upper floors may be additional commercial, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential units, but should be designed to facilitate conversion to retail or other commercial uses.

***Response: The proposed project is a single-story retail building.***

3. *Facades* - The façade design must be consistent with the standards set forth in subsection 25.13.05.b.2(b). Where the façade height exceeds 35 feet, the façade should include an expression line above the first floor level and a defined cornice line at the top of the façade wall.

***Response: The proposed height of the building is 25.7 feet which is lower than the height indicated in the design guidelines. Per Section 25.13.05.b.2.b, buildings in the MXCD zone should have a range of heights between 35 and 50 feet at the street. Pursuant to Section 25.03.01.3 ("General Rule of Interpretation") the use of the word "should" in the Zoning Ordinance is permissive and not mandatory. Therefore there is nothing to preclude the applicant from proposing a building height less than the 35-feet referenced.***

4. *Fenestration* - Generally, fenestration of the stories above the ground floor should be framed by individual windows. Continuous strip windows may be allowed by the Planning Commission if they are used to maintain compatibility with existing contiguous projects.

***Response: The project is a single-story building and has no fenestration above the ground floor.***

5. *Sidewalks* - Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of Section 25.17.05

***Response: The project complies with the sidewalk standards. The sidewalk along Rollins Avenue will be 7.7 for pedestrian/bicycle access.***

6. *Parking:* On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure

facades visible from the street or a transitway must be treated in a similar manner as the primary building facades. All parking at the sides or rear must be screened to prevent vehicle headlights from shining into adjoining residential properties.

***Response: The proposed project complies with the parking guidelines of Article 16 of the Zoning Ordinance. The proposed development is a typical retail center with surface parking located in front of the building, adjacent to the street. There is no structured parking proposed. While the above-referenced guideline encourages the location of parking behind and to the sides of buildings, there is nothing within the Rockville Pike Corridor Neighborhood Plan to prevent the proposed site layout. Where parking lots are located adjacent to public roads the Plan encourages appropriate screening of these facilities.***

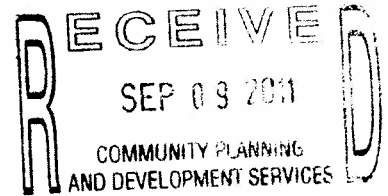
Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary  
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

August 31, 2011



Ms. Nicole Walters  
City of Rockville  
Planning and Zoning Division  
111 Maryland Avenue  
Rockville, MD 20850

Re: Montgomery County  
Rollins Center  
Application #: STP2011-00085  
MD 355 (1807 Rockville Pike)  
SHA Tracking #11-AP-MO-033  
Mile Post: 7.11

Dear Ms. Walters:

Thank you for the opportunity to review the Site Development Plan dated 7/26/2011, for the proposed Rollins Center in Montgomery County. The State Highway Administration (SHA) offers the following comments:

**District Comments:**

1. Provide Maintenance of Traffic (MOT) plans for the project. Specifically for the curb and gutter work proposed along MD 355.
2. Provide a pedestrian detour for the closure of the existing sidewalk. Provide proper signing, and ensure that the pedestrians are guided to the closest legal crosswalk.
3. Please clarify the location of the existing bus stop / bus shelter along MD 355. The plans show only the proposed location. Moving this stop further away from the intersection will encourage pedestrians to cross MD 355 at mid-block.

For further clarification on the above comments, please contact our District 3 Traffic Engineer Mr. Dennis Jordan at 301-513-7481 or via email at [djordan3@sha.state.md.us](mailto:djordan3@sha.state.md.us).


**Innovative Contracting Division Comments:**

- ✓ 1. The existing ramps in all quadrants of the Intersection of MD 355 and Rollins Avenue are non-ADA compliant and need to be upgraded to current standards. Please identify the ramp upgrades on the plans and label with a MD standard as appropriate.
2. The two existing ramps at the entrance to Rollins Center from MD 355 are non-ADA compliant and both ramps need to be upgraded. Please identify the ramp upgrades on the plans and label with a MD standard as appropriate
3. Provide this note at the entrance to Rollins Avenue from MD 355:  
*(minimum 60" pedestrian pathway with a maximum 2% cross slope must be maintained across the entire entrance)*

For further clarification on the above comments, please contact our Innovative Contracting reviewer Mr. John Vranish at 410-545-8778 or via email at [jvranish@sha.state.md.us](mailto:jvranish@sha.state.md.us).

Further review of this project will be withheld until the above comments have been addressed. Please submit 5 hard copies and 1 electronic copy of the revised plan set, as well as a point by point response, to reflect the comments noted above directly to Mr. Eric Waltman. Please reference the SHA tracking number on future submissions. If you have any questions, or require additional information, please contact Mr. Eric Waltman at 410-545-5597, by using our toll free number in Maryland only at 1-800-876-4742 x 5597 or via email at ewaltman@sha.state.md.us).

Sincerely,

  
Steven Foster, Chief  
Access Management Division

SDF/JWR/ELW

cc: P.G. Associates, Inc., civil engineer \

16220 Frederick Road, Suite 300, Gaithersburg, MD 20877

Mr. Dennis Jordan – SHA District #3

Mr. John Vranish – SHA ICD

Mr. John Krouse – SHA OED

Mr. Scott Newill – SHA AMD

ATTACHMENT 12-2